



AGENDA

S.L.O. County Subdivision Review Board

Aeron Arlin-Genet
Richard Marshall
Richard Lichtenfels
John Nall
John Euphrat

MEETING DATE: Monday, April 4, 2005

MEETING LOCATION AND SCHEDULE

Regular Subdivision Review Board meetings are held in the Board of Supervisors Chambers, County Government Center, San Luis Obispo, on the first and third Mondays of each month. The meeting schedule is as follows:

Meeting Begins:			9:00 A.M.
Morning Recess:	10:30	-	10:45 A.M.
Noon Recess:	12:00	-	1:30 P.M.
Afternoon Recesses:	2:30	-	2:45 P.M.

ALL HEARINGS ARE ADVERTISED FOR 9:00 A.M. THIS TIME IS ONLY AN ESTIMATE AND IS NOT TO BE CONSIDERED AS TIME GUARANTEED. PUBLIC AND APPLICANTS ARE ADVISED TO ARRIVE EARLY.

ROLL CALL

MATTERS TO BE CONSIDERED

PUBLIC COMMENT PERIOD

Members of the public wishing to address the Subdivision Review Board on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

CONSENT AGENDA: (Recommend Approval)

1. **Parcel Map CO 01-0198 (S010044P)** Request from the **SHOLDERS LAND SURVEYS/ FRED & ROSE MARIE ABITIA** for a **1st one-year time extension** for Vesting Tentative Parcel Map **CO 01-0198** and Development Plan, to subdivide an existing 5.28 acre parcel into two parcels of 2.78 and 2.50 each, in the Residential Suburban Land Use category. The project is located at 12251/12255 Viejo Camino, approximately 700 feet south of Santa Barbara Road, south of the City of Atascadero. APN: 059-301-006, in the Salinas River Planning Area. County File No. **S010044P/ CO 01-0198**. Supervisorial District: 5. Staff recommends that a 1st one- year time extension be granted to March 3, 2006, subject to the original conditions of approval as set forth in the minutes of the Subdivision Review Board meeting dated March 3, 2003.

HEARINGS: (Advertised for 9:00 a.m.)

2. Continued hearing to consider proposal by **DAVID FLAGG** for a Tentative Parcel Map to allow for a subdivision of a 39.50 acre parcel into two 19.75 acre parcels using Transfer Development Credits for the sale and development of each proposed parcel. The

project will include the grading of two driveways and two house pads (one house on each proposed lot), in the Agriculture Land Use Category. The property is located in the county on the southwest corner of the intersection of Highway 41 East and Straw Ridge, 0.6 mile west of Creston Road approximately 1.87 miles north west of the community of Creston, APN: 043-051-004, in the El Pomar-Estrella Planning Area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: Aesthetics, Ag Resources, Air Quality, Biological Resource, Public Service/Utilities and Recreation. **County File Number: SUB2003-00018/CO 04-0004.** Date application accepted: February 13, 2004. Supervisorial District 1. Susan Callado, Project Manager. Continued hearing from March 7, 2005. (Recommendation: Denial) (30 min.)

3. Hearing to consider a request by **PATRICIA JAMES** for a Lot Line Adjustment to adjust the lot lines between two parcels of 10.34 acres and 8.78 acres. The adjustment will result in two parcels of 5.10 acres and 14.03 acres each. The project will not result in the creation of any additional parcels and no development is proposed with this project. The proposed project is within the Residential Suburban and Residential Rural land use category and is located at 1699 Sage Avenue in the community of Los Osos. The site is in the Estero Planning Area. This project is exempt under CEQA. **County File No: SUB 2003-00239.** APN: 067-012-004; Date Accepted: January 30, 2005. Supervisorial District 2. Murry Wilson, Project Manager. (RECOMMENDATION: Approval) (15 min.)
4. Hearing to consider a request by **LEE AND MINDY ALEGRE / JIM AND LINDA ALLEN** for a Vesting Tentative Parcel Map to subdivide an existing 19.7 acre parcel into 2 parcels of 10.0 and 9.7 acres each for the purpose of sale and/or development. The project is not proposing any new ground disturbance from existing conditions because a road and building pad were previously built under construction permit PMT2002-12585; however, the subdivision has the potential to result in two additional residences which would result in an unknown amount of disturbance. The proposed project is within the Residential Rural land use category and is located at 5520 El Pomar Drive, approximately 0.25 miles east of South El Pomar Road, and 5 miles east of the community of Templeton, in the El Pomar/Estrella planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address Agriculture, Biological Resources, Geology, Public Services, Wastewater and Water. **County File Number: SUB 2003-00345 / CO 04-0312.** APN: 033,301,007. Supervisorial District #1. Date Accepted: August 13, 2004. Julie Eliason, Project Manager. (RECOMMENDATION: Approval) (20 min.)
5. Hearing to consider a request by **ALVIN ALGEE** for a Conditional Certificate of Compliance on a .54 acre parcel. The proposed project is within the Agricultural land use category and is located at 4797 La Panza Road approximately 1 mile Northeast of the Community of Creston. The site is in the El Pomar/Estrella planning area. This project is exempt under CEQA. **County File No: SUB2004-00097 / C04-0525.** APN: 042-211-004. Supervisorial District 1. Date Accepted: February 23, 2005. Andrea Miller, Project Manager. (RECOMMENDATION: Approval) (20 min.)

6. Hearing to consider a request by **D. AND K. FILIPPONI, D. WEYRICH, S. AND M. BONESA AND N. AND C. THOMPSON** for one Conditional Certificate of Compliance to legalize an existing, 7.45 acre illegal parcel for the purpose of sale and/or development. The project involves no off site road improvements. No site disturbance is proposed as part of this project. No on site roads are proposed as part of this project. The proposed project is within the Commercial Retail land use category. APN: 040-289-030. The site is located at Las Tablas Road approximately 600 feet west from the intersection of Las Tablas Road and Duncan Road in the community of Templeton, in the Salinas River Planning Area. This project is exempt under CEQA. **County File No: SUB2003-00050.** Supervisorial District: #1. Date Accepted: January 19, 2005. Nick Forester, Project Manager. (15 min)
7. Hearing to consider a request by **CYNTHIA BALDWIN A/K/A CYNTHIA NACEY** for a parcel map to subdivide four existing parcels totaling approximately 20 acres into five parcels of 2.5, 2.5, 2.5, and 7.34 acres each for the purpose of sale and/or development and one 5.10-acre remainder parcel. The project includes off-site road improvements of Salinas Road and Santa Clara Road. The proposed project is within the Residential Suburban land use category and is located at 13405 Salinas Road, on the northeast corner of Santa Clara Road and Salinas Road, approximately one mile southeast of the city of Atascadero, is in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq. Mitigation measures are proposed to address agriculture, biological, cultural resources, geology, hazardous materials, noise, public services, recreation, wastewater, and water. APN: 059-111-016. **County File No: S030181P.** Supervisorial District: 5. Date Accepted: August 26, 2004. Elizabeth Kavanaugh, Project Manager. (RECOMMENDATION: Approval) (15 min.)
8. Hearing to consider a request by **DANIELLE BROWN, JONATHAN BROWN AND WENDY MCBANE** for two Conditional Certificates of Compliance for APN 018-191-059, a 3.51 acre parcel, and APN 018-191-048, a 2.01 acre parcel. The project is located on the south side of 12th Street / Fern Canyon Road, approximately 1,200 feet west of Merry Hill Road, west of the City of Paso Robles, in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000, et seq. Mitigation measures are proposed to address aesthetics, air quality, biological, geology, public service, recreation, transportation, wastewater, and Water. Land Use Category: Residential Rural. **County File No. SUB2004-00090.** Date Accepted: October 26, 2004. Supervisorial District 1. Elizabeth Kavanaugh, Project Manager. (RECOMMENDATION: Approval) (20 min.)
9. Hearing to consider a request by **STEVE VAN NOTE** for a Tentative Parcel Map to subdivide an existing approximately 3.3 acre parcel into 2 parcels of 1.0 and 2.28 acres each for the purpose of sale and/or development. The proposed project is within the Residential Suburban land use category and is located on the south side of Martinez Drive, at 8691 Martinez Drive, approximately 1,000 feet east of Hog Canyon Road, in the community of San Miguel, in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance

with the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures identified for: Agricultural Resources, Biological Resources, and Public Services. **County File No: SUB2004-00084.** APN: 027-251-010.

Supervisory District: 1. Date Accepted: October 22, 2004. Josh LeBombard, Project Manager. (RECOMMENDATION: Approval) (20 min.)

10. Hearing to consider a proposal by **STAN WEABER** for a Lot Line Adjustment to adjust the lot lines between 4 parcels of 12.47, 6.70, 3.00, and 1.89 acres each. The adjustment will result in 4 parcels of 12.20, 4.47, 4.12, and 3.27 acres each. The project will not result in the creation of any additional parcels. The project also consists of the abandonment of a portion of San Miquel road. The proposed project is within the Residential Rural land use category and is located on the west side of Highway 41, at 14199 Morro Road, within the community of Atascadero, in the Salinas River planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures proposed for: Biological Resources, Geology, and Public Services. **County File No: SUB2003-00305.** APN's: 051-351-005 and -007; and 051-341-004 and -007. Supervisory District: 5. Date Accepted: 9/16/2004. Josh LeBombard, Project Manager. (RECOMMENDATION: Approval) (30 min.)
11. Hearing to consider a request BY **BILL WESNOUSKY** for a Lot Line Adjustment to adjust the lot lines between 2 parcels of 39.6 and 75.6 acres each. The adjustment will result in 2 parcels of 40 and 75.2 acres. The project will not result in the creation of any additional parcels. The proposed project is within the Agriculture land use category and is located at 3033 Mount Lowe Road, on the East Cuesta Ridge, on the east side of Mount Lowe Road, approximately two miles east of Highway 101, approximately 6 miles north of the City of San Luis Obispo, in the Los Padres planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. Mitigation measures are proposed to address Biological Resources, Geology & Soils, Hazards and Hazardous Materials, Public Services/Utilities, and Wastewater. APN: 070-241-023. **County File No. SUB2004-00041.** Supervisory District #5. Date Accepted: December 13, 2004. Brian Pedrotti, Project Manager. (RECOMMENDATION: Approval) (20 min.)
12. Hearing to consider a request by **UNION OIL** for a vesting tentative parcel map to subdivide an existing 109.3-acre parcel into two parcels of 78.92 acres and 30.37 acres, each for the sale and/or development of each proposed parcel. The purpose of the proposed subdivision is to provide separate parcels to the north and south of Tank Farm Road to prepare for future annexation of the northern portion into the City of San Luis Obispo. No development is proposed with this subdivision, and the proposed subdivision does not include an increase in the developability of the property. The site contains surface and subsurface crude oil contamination from the historical use of the property as a fuel storage and distribution facility. Land Use Categories: Recreation and Industrial. The project is located to the north and south of Tank Farm Road, approximately 1 mile east of Higuera Street on the southern boundary of the City of San Luis Obispo, in the San Luis Obispo planning area. Also to be considered at the hearing will be approval of the Environmental Document prepared in accordance with the

applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. APN's: 076-382-004, 076-381-001, 076-351-041 & -040. **County File No. S030065Q / CO 03-0287.** Date application accepted: December 26, 2003. Supervisorial District #3. Brian Pedrotti, Project Manager. (RECOMMENDATION: Approval) (20 min.)

Estimated time of adjournment: 1:00 p.m.

Next Scheduled Meeting: May 2, 2005, at 9:00 a.m. in the County Board of Supervisors Chambers, County Government Center, San Luis Obispo, CA.

Lona Franklin, Secretary
Subdivision Review Board

SUBDIVISION REVIEW BOARD MEETING PROCEDURES

Subdivision Review Board meetings are conducted under the authority of the Chair. The Chair will announce each item, which will be read into the record by the Secretary; thereafter, the hearing will be conducted as follows:

1. The Planning Department staff will present the staff report and recommendation on the proposal being heard and respond to questions from commissioners.
2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to come to the podium to present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair will invite the applicant/agent back to the podium to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the commission and staff prior to the commission taking a decision.

RULES FOR PRESENTING TESTIMONY

Subdivision Review Board (SRB) hearings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present testimony must observe the following rules:

1. When you come to the podium, first identify yourself and give your place of residence. SRB meetings are tape recorded and this information is required for the record.
2. Address your testimony to the Chair. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
3. Keep your testimony brief and to the point. Talk about the proposal and not about individuals involved. On occasion, the Chair may be required to place time limits on testimony; in those cases proposal description/clarification will be limited to 12 - 15 minutes, individual testimony to 3 minutes, and speakers representing organized groups to 5 minutes. Focus testimony on the most important parts of the proposal; do not repeat points made by others. And, please, no applauding during testimony.

4. Written testimony is acceptable. However, letters are most effective when presented at least a week in advance of the hearing. Mail should be directed to the Planning Department, attention: Subdivision Review Board Secretary.

APPEALS

If you are dissatisfied with any aspect of an approval or denial of a project, you have the right to appeal this decision to the Board of Supervisors up to 14 days after the date of action, in writing, to the Planning Department. If legitimate coastal resource issues related to our local Coastal Program are raised in the appeal, there will be no fee. If an appeal is filed for an inland project, or for a coastal project with no legitimate coastal issues, there will be a fee of \$578. If a fee is required, it must accompany the appeal form. The appeal will not be considered complete if a fee is required but not paid. There must be an original form and original signature, a FAX is not accepted.

Subdivision Review Board decisions may also be appealable to the California Coastal Commission pursuant to Coastal Act Section 30603 and the County Coastal Zone Land Use Ordinance 23.01.043. Exhaustion of appeals at the county is required prior to appealing the matter to the California Coastal Commission. The appeal to the Board of Supervisors must be made to the Subdivision Review Board Secretary, Department of Planning and Building, and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations contain specific time limits to appeal, criteria, and procedures that must be followed to appeal this action. The regulations provide the California Coastal Commission 10 working days following the expiration of the County appeal period to appeal the decision. This means that no construction permits can be issued until both the County appeal period and the additional Coastal Commission appeal period have expired without an appeal being filed.

Contact the Coastal Commission's Santa Cruz Office at (831) 427-4863 for further information on appeal procedures.

HEARING IMPAIRED: There are devices for the hearing impaired available upon request.

COPIES OF TAPES, VIDEO, CD: You may obtain copies of the CD or Tape of the proceedings at the Department of Planning and Building, for a fee.

ON THE INTERNET

This agenda may be found on the internet at: <http://www.sloplanning.org> under General Information, Meetings and Agendas Information.

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